MINUTES OF THE MEETING OF THE COMMITTEE CONSTITUTED TO REVIEW THE CASE OF SMT. SUJILA K.P. FOR COMPASSIONATE APPOINTMENT IN PLACE OF HER MISSING BROTHER, HELD ON 22.01.2025.

A meeting of the Committee constituted to review the case of Smt. Sujila K.P. for appointment on compassionate grounds, in accordance with CBIC's letter No. A-12012/4/2024-Ad-IIIB Section-CBEC dated 26.09.2024, was held on 22.01.2025 in the chamber of the Additional Commissioner of Central Tax and Central Excise, Hqrs. Office, C.R. Building, I.S. Press Road, Kochi.

Members of the Committee

1.	Smt. Rani C.R., Additional Commissioner, Central Tax & Central Excise, Kochi.	Chairperson
2.	Smt. Gayathri P.G., Joint Commissioner, O/o the Chief Commissioner of Central Tax, Central Excise & Customs, Thiruvananthapuram Zone.	Member
3.	Shri. Kommisetty Muralidhar, Joint Commissioner, Central Tax & Central Excise, Kochi.	Member

2. The Committee was informed that the meeting of the Committee constituted to consider applications for appointment on compassionate grounds was held on 12.12.2023 and 04.01.2024. The Committee recommended the case of Smt. Sujila K.P., sister of the missing government servant Shri. K.P. Susanth, Greaser, for compassionate appointment to the post of Havaldar, along with seven other applicants for the post of Havaldar, two applicants for the post of Tax Assistant, and one applicant for the post of Multi-Tasking Staff. Her case was then referred to the Ministry for concurrence, as per DoP&T's master circular on Scheme of Compassionate Appointment (para 12) issued vide O.M. F.No. 14014/01/2022-Estt.(D) dated 02.08.2022, which provides that the cases of missing Government servants are also covered under the scheme for compassionate appointment subject to the condition that a decision on any such request for compassionate appointment should be taken only at the level of the Secretary of the Ministry/Department concerned.

3. The Committee was further informed that CBIC, New Delhi, vide letter No. A-12012/4/2024-Ad-IIIB Section-CBEC dated 26.09.2024, has directed to review the claim of Smt. Sujila K.P. for compassionate appointment in place of her missing brother, to consider the following facts and situation:

1. The father of the applicant was reportedly working in the Indian Air Force at the time the government servant went missing in the year 2007 and it was also mentioned that mother started getting family pension of her husband from 2021 (so presumably, father of the applicant died in 2021).

2. The applicant (his sister) got married in 2010 and became the part of the family member of her husband and her husband was earning Rs. 7000 per month. And also she was working in the Uralungal Labour Contract Co-Operative Society Ltd., Kozhikode, as Junior Overseer Grade 2 from 03.03.2008 to 01.01.2011 on a contract basis.

3. The deceased government servant's mother is getting two family pensions – her husband's (Retired Driver from IAF) family pension (Gross Rs.11,000/-) as well as family pension for her son Late K.P. Susanth (Gross Rs.14,000/-) at the time of considering of claim filed by Smt. Sujila K.P. for appointment on compassionate grounds.

4. The Committee decided to review the case of Smt. Sujila K.P. for appointment on compassionate grounds. The Committee carefully considered the relevant instructions and clarifications issued by the DoP&T and CBIC, along with the provisions of the Recruitment Rules. The Committee examined the details of the applicant mentioned in her application, the supporting documents furnished by her, and the enquiry report. The Committee accordingly reviewed the case of Smt. Sujila K.P. for appointment on compassionate grounds, considering the facts and circumstances mentioned in para 3 above, and recorded its observations as given below:

Point 1 – Dependency on her brother:

The Committee noted that as per DoP&T's master circular on Scheme of Compassionate Appointment issued vide O.M. F.No. 14014/01/2022-Estt.(D) dated 02.08.2022, "Dependent Family Member" means:

(a) spouse; or
(b) son(including adopted son); or
(c) daughter (including adopted daughter); or
(d) brother or sister in the case of unmarried Government servant or
(e) member of the Armed Forces referred to in (A) or (B) of this para,

-- who was **wholly dependent on the Government servant**/ member of the Armed Forces at the time of his death in harness or retirement on medical grounds, as the case may be.

In the case of the applicant, her father had been discharged from the Indian Air Force in 1980 and continued to receive pension until his death in 2021. The Committee observed that she was primarily dependent on her father until her marriage and thereafter on her husband. Therefore, she did not meet the criterion of being wholly dependent on the Government servant at the time he went missing on 06.07.2007, to be eligible to be considered for appointment on compassionate grounds.

Point 2 - Marital Status and Employment:

As per DoP&T's compilation of FAQ issued vide No. 14014/02/2012-Estt(D) dated 30.05.2013 and 05.09.2016, married daughter can be considered for compassionate appointment subject to conditions that she was wholly dependent on the Government servant at the time of his/her death in harness or retirement

on medical grounds. The Committee noted that Smt. Sujila K.P. was married on 12.11.2010 and was employed at the Uralungal Labour Contract Co-Operative Society Ltd., Kozhikode, as Junior Overseer Grade II from 03.03.2008 to 01.01.2011. Her husband has an income of Rs. 7,000/- per month as evidenced from the certificate from the employer submitted by the applicant as proof of her husband's income. As per the enquiry report, the applicant was unmarried and unemployed when Government servant went missing. Despite this, considering her dependency status at the time her brother went missing on 06.07.2007, as mentioned in Point 1 above, she did not meet the criterion of being wholly dependent on the missing Government servant as per the definition of "Dependent Family Member" provided in DoP&T's OM dated 02.08.2022, to be eligible to be considered for appointment on compassionate grounds.

Point 3 – Two family pensions received by mother:

The Committee noted that mother of the missing government servant is getting two family pensions – her husband's (Retired Driver from IAF) family pension (Rs. 11,000/-) as well as family pension for her son Late K.P. Susanth (Rs. 9,000/- (basic, excluding DA & allowance), at the time of consideration of claim filed by Smt. Sujila K.P. for appointment on compassionate grounds. The Committee further noted that the penurious condition of the applicant was estimated by the Committee held on 12.12.2023 and 04.01.2024, using 9 parameters as per CBIC's point based system. One of the 9 parameters was the 'Annual income of earning members and income from property'. The Applicant's annual family Income of Rs. 84,000/-, her mother's income [husband's (retired Driver from IAF) family pension] of Rs. 11,000/- per month, and her sister's income of Rs.17,000/- per month were taken into account for awarding points against the 'Annual income of earning members'. The Committee held on 12.12.2023 and 04.01.2024 awarded '0' weightage point against 'Annual income of earning members' and '20' weightage point against 'Family Pension'. However, considering her dependency status at the time her brother went missing on 06.07.2007, as mentioned in Point 1 above, she did not meet the criterion of being wholly dependent on the missing Government servant as per the definition of "Dependent Family Member" provided in DoP&T's OM dated 02.08.2022, to be eligible to be considered for appointment on compassionate grounds.

5. After thorough deliberation on the specific points and considering the circumstances of Smt. Sujila K.P.'s case, the Committee concluded that her request for appointment on compassionate grounds is not justified. Therefore, the Committee decided not to recommend Smt. Sujila K.P. for appointment on compassionate grounds, and her application is rejected.

22/01/2025

(RANI C.R.)
CHAIRPERSON

22/01/2025

(GAYATHRI P.G.)
MEMBER

22/01/2025

(KOMMISETTY MURALIDHAR)
MEMBER